

Mark Nadel

From: Don Dietrich <ddietrich@e-rateprofessionals.com>
Sent: Tuesday, June 13, 2017 12:21 AM
To: Mark Nadel
Cc: 'Jonathan Brent'
Subject: RE: Detroit Public Schools FCC Appeal FY2011
Attachments: FRN 2175567 Contract and Quote Clark Park Voice.pdf; FRN 2175583 Contract and Quote Gompers Voice.pdf; FRN 2175600 Contract and Quote Munger Voice.pdf; FRN 2175618 Contract and Quote Clark Cabling.pdf; FRN 2175635 Contract and Quote Gompers Cabling.pdf; FRN 2175643 Contract and Quote McKenzie Cabling.pdf; FRN 2175670 Contract and Quote Munger Cabling.pdf; FRN 2175680 Contract and Quote MLK Cabling.pdf

Accepted / Filed

JUN 20 2017

Federal Communications Commission
Office of the Secretary

DOCKET FILE COPY ORIGINAL

Mark,

We have been searching through documents from 2010 and 2011 for proof that the two Service Providers that we used were the original Service Providers and I think the attached proves that. These are contracts and quotes from the General Contractor (LS Brinker – the 'FROM' on the SPIN Change) to the subcontractors (Bailey LaBelle for Cabling and LCI for voice/pbs work – the "TO" companies on the SPIN Change). These documents are dated February 10, 2011 which is before our Form 471 was posted in March.

Please let us know if this is sufficient evidence of our original intent to use these two companies to perform the work.

Thanks
Don Dietrich
314-378-1667

From: Don Dietrich [mailto:ddietrich@e-rateprofessionals.com]
Sent: Thursday, May 18, 2017 8:51 PM
To: Mark Nadel (mark.nadel@fcc.gov) <mark.nadel@fcc.gov>
Cc: 'Jonathan Brent' <jonathan.brent@detroitk12.org>
Subject: Detroit Public Schools FCC Appeal FY2011

Mark,

Thanks for your time on the phone today. As we discussed, Jon and I are working on gathering information to demonstrate that the two Service Providers that actually performed the work back in FY2011 were designated as such prior to our Form 471 filing.

We will forward this information as soon as possible, but I am requesting that we be allowed until the end of June to complete. Some of these records are pretty old – people have changed jobs etc.

We appreciate your understanding.

Thanks,
Don Dietrich

No. of Copies rec'd 0
List ABCDE

Don Dietrich
E-Rate Professionals
200 Oakbriar Farm Dr, Ballwin, MO 63021
314-378-1667 (Cell)
636-692-5958 (Fax)
ddietrich@e-rateprofessionals.com



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Clark Park**
Bid Package 11D ---- Voice, Paging & Clock Systems

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Voice, Paging & Clock Systems at Clark Park, on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

- Voice, Paging & Clock Systems ----- Learning Consultants Inc.

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCE JV Fee	Total Cost	Variance
11D	Clark Park	Learning Consultants	\$187,453.00	\$203,735.00	\$ 3,776.55	\$207,511.55	\$(20,058.55)

It Should be noted that the BCM Voice cost breakout from this total contract is \$ 58,038.00

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 11D --- Clark Park.

Sincerely,
L. S. Brinker/ Motor City Electric, a Joint Venture

Richard J. McLaren
Project Director
For L.S. Brinker Company / Motor City Electric Joint Venture

Recommendation for Award
Clark Park – Voice, Paging & Clock Systems
February 10, 2011
Page 2

Approval: DPS Program Manager Team

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Attachments

cc: Purchasing File

Evonne McBurrows, Tom McGrail, Dan McGrail – L.S. Brinker / Motor City Electric JV



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Clark Park**
Bid Package 11A ---- Information Technology

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Information Technology at the new gymnasium, on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

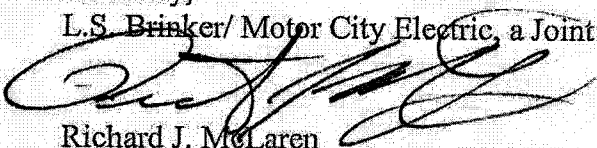
- Information Technology ----- Bailey-Labelle

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCE JV Fee	Total Cost	Variance
11A	Clark Park	Bailey-Labelle	\$272,791.00	\$296,485.00	\$5495.82	\$301,980.82	\$(29,189.82)

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 11A --- Clark Park.

Sincerely,
L.S. Brinker/ Motor City Electric, a Joint Venture


Richard J. McLaren
Project Director
For L.S. Brinker Company / Motor City Electric Joint Venture

Recommendation for Award
Clark Park – Information Technology
February 10, 2011
Page 2
Approval: DPS Program Manager Team

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Attachments

cc: Purchasing File

Evonne McBurrows, Tom McGrail, Dan McGrail – L.S. Brinker / Motor City Electric JV

CONTRACT WRITING



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Munger School**
Bid Package 8A ---- Information Technology

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Information Technology at Munger , on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

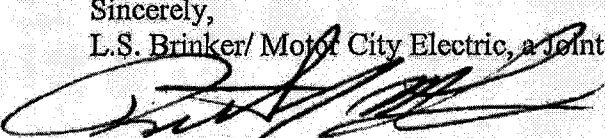
- Information Technology ----- Bailey-Labelle

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCB JV Fee	Total Cost	Variance
8A	Munger	Bailey-Labelle	\$270,548.00	\$305,935.00	\$14,271.22	\$320,206.22	\$(49,658.22)

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 8A --- Munger.

Sincerely,
L.S. Brinker/ Motor City Electric, a Joint Venture



Richard J. McLaren
Project Director
For L.S. Brinker Company / Motor City Electric Joint Venture

Recommendation for Award
Munger – Information Technology
February 10, 2011
Page 2
Approval: DPS Program Manager Team

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Attachments

cc: Purchasing File

Nicole Blocker, Tom McGrail, Dan McGrail – L.S. Brinker / Motor City Electric JV

CONTRACT WRITING



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Munger School**
Bid Package 8A ---- Information Technology

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Information Technology at Munger, on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

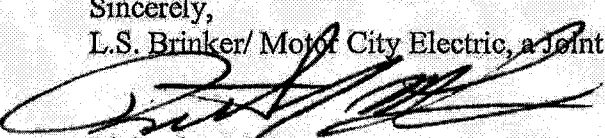
- Information Technology ----- Bailey-Labelle

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCE JV Fee	Total Cost	Variance
8A	Munger	Bailey-Labelle	\$270,548.00	\$305,935.00	\$14,271.22	\$320,206.22	\$(49,658.22)

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 8A --- Munger.

Sincerely,
L.S. Brinker/ Motor City Electric, a Joint Venture



Richard J. McLaren
Project Director
For L.S. Brinker Company / Motor City Electric Joint Venture

Recommendation for Award
Munger – Information Technology
February 10, 2011
Page 2
Approval: DPS Program Manager Team

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Name/ Title: _____ Date: _____

Attachments

cc: Purchasing File

Nicole Blocker, Tom McGrail, Dan McGrail – L.S. Brinker / Motor City Electric JV



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Gompers School**
Bid Package 7D ---- Voice, Paging & Clock Systems

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Voice, Paging & Clock Systems at the new gymnasium, on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

- Voice, Paging & Clock Systems ----- Learning Consultants

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCE JV Fee	Total Cost	Variance
7D	Gompers	Learning Consultants	\$186,100.00	\$203,553.00	\$ 3,724.38	\$207,277.38	\$(21,177.38)

It Should be noted that the BCM Voice cost breakout from this total contract is \$ 58,872.00

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 7D --- Munger.

Sincerely,
L.S. Brinker/ Motor City Electric, a Joint Venture

Richard J. McLaren
Project Director
For L.S. Brinker Company / Motor City Electric Joint Venture



February 10, 2011

Jonathan Stewart
Project Manager
Walbridge Joint Venture
1425 East Warren Avenue
Detroit, MI 48207

Reference: Recommendation for award the **Gompers School**
Bid Package 7A ----- Information Technology

Dear Mr. Stewart:

L.S. Brinker/Motor City Electric has received proposals for the Bid Package accounting for the additional Information Technology at Gompers, on January 19, 2011. Our team has reviewed the bids and are pleased to recommend the following Subcontractor for this additional security scope of work:

- Information Technology ----- Bailey-Labelle

The following table indicates the L. S. Brinker/Motor City Electric estimate amount, the E-rate school budget amount, the recommended contract award amount and the L.S. Brinker/Motor City Electric Fee.

Bid Category	Location	Subcontractor	School Technical Budget	Subcontractors award Amount	LSB / MCE JV Fee	Total Cost	Variance
7A	Gompers	Bailey-LaBelle	\$ 271,063.00	\$296,485.00	\$5,424.75	\$ 301,909.75	\$(5,424.75)

If you have any questions, please feel free to contact the undersigned. If acceptable, will the appropriate party indicate their approval by signing the space below to authorize L. S. Brinker/Motor City Electric joint venture to provide a change order for the respective bid categories from the proposals received for Bid Package 7A ---- Gompers.

Sincerely,

L.S. Brinker/ Motor City Electric, a Joint Venture

Richard J. McLaren

Project Director

For L.S. Brinker Company / Motor City Electric Joint Venture

Approval: DPS Program Manager Team

3633 Michigan Avenue Suite 300 Detroit, Michigan 48216 (313) 897-9130 fax (313) 897-9133

From: Don Dietrich <ddietrich@e-rateprofessionals.com>
Sent: Wednesday, July 10, 2013 12:20 PM
To: Bracale, Robert
Cc: 'Jon Brent'
Subject: RE: SPIN Change Requests (Case 22-511128 Detroit Public Schools)
Attachments: Work Order Munger - Information Technology.pdf

Robert,

Can you take a look at the attached document and let me know if it satisfies your request. This document is for one of the FRNs below (2175670 – Cabling at Munger by Bailey LaBelle). This is a copy of the “Work Order” dated 2/19/2011 that shows the current Service Provider SPIN (Brinker) as the general contractor and also shows the new Service Provider SPIN (Bailey LaBelle) as the subcontractor and actual performer of the work. This document demonstrates our original intention to have this contractor (Bailey LaBelle) do the work.

If this document is sufficient I will send similar documents for each FRN below.

Thanks,
Don Dietrich

From: Bracale, Robert [mailto:Robert.BRACALE@sl.universalservice.org]
Sent: Tuesday, July 9, 2013 7:25 AM
To: 'Don Dietrich'
Subject: RE: SPIN Change Requests (Case 22-511128 Detroit Public Schools)

Good morning, Don,

I can grant you an extension to **EOD Monday, July 15, 2013.**

Please provide this information to me as soon as possible. Failure to do so may result in a dismissal of the SPIN change request, without further request. In this event, please ensure you have all necessary documents collected before resubmitting your request. If you have any questions, please contact me within this 7 day period.

Sincerely,

Bob Bracale
Client Operations Reviewer
30 Lanidex Plaza West | Parsippany, NJ 07054
T: 973-581-5165 | F: 973.599.6526
rbracal@sl.universalservice.org

From: Don Dietrich [mailto:ddietrich@e-rateprofessionals.com]
Sent: Monday, July 08, 2013 11:07 PM
To: Bracale, Robert
Cc: 'Jon Brent'
Subject: RE: SPIN Change Requests (Case 22-511128 Detroit Public Schools)

Robert,

Bob Bracale
Client Operations Reviewer
Phone: 973-581-5165
Fax: 973-599-6526
rbracal@sl.universalservice.org

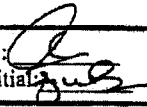
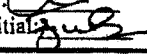
Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.



Corporate Headquarters
3633 Michigan Avenue, 300, Detroit, MI 48216
Phone: (313) 897-9130 Fax: (313) 897-9133

SUBCONTRACTOR WORK ORDER

Subcontractor: Bailey-Labelle, LLC 1927 Rosa Parks Blvd Detroit, MI 48216 Phone: (313) 962-8834 Fax: (313) 962-8835 Contact: John Bailey	Work Order Date: 2/19/2011 Work Order Number: 035 Master Subcontractor Agreement: 15 Project Name: District-Wide Information Technology & Security Systems Design: Installation of IT/Security/Low Voltage Munger PK - 8 Contractor's Job Number: 01-059
Contractor:: L.S. Brinker/Motor City Electric, a Joint Venture 3633 Michigan Avenue Detroit, MI Phone: (313) 897-9130 Fax: (313) 897-9133 Project Manager: Rich McLaren Email: rmlclaren@brinkergroup.com	Owner: Detroit Public Schools 7307 Second Ave. 10th Floor, Detroit, MI 48202
Reference: Drawings and Specifications Listed below and prepared by Albert Kahn	
<ol style="list-style-type: none"> 1) L.S. Brinker Company/ Motor City Electric Joint Venture (LSB/MCE JV) Invitation to Bid dated December 17, 2010 2) Request for Proposal dated December 17, 2010 3) Project Drawings labeled Issue 005 including but not limited to Telecommunications, AudioVisual, Security as issued by Albert Kahn Family of Companies dated December 17, 2010 (See Drawing Log) 4) Project Revision Drawings labeled Issue 006 as issued by Albert Kahn Family of Companies dated January 3, 2011 5) Project Revision Drawings labeled Issue 007 as issued by Albert Kahn Family of Companies dated January 14, 2011 6) Bid Information Letter #1 dated January 7, 2011 7) Bid Information Letter #2 dated January 14, 2011. 8) Post Bid Review held on February 3, 2011 9) LSB/MCE JV Project Panual dated December 17, 2010 10) All written technical specifications as issued by Albert Kahn Family of Companies with the bid documents dated December 17, 2010 and subsequent revision documents, Issue 003 as issued by Albert Kahn Family of Companies dated January 3, 2011, Issue 004 as issued by Albert Kahn Family of Companies dated January 14, 2011. 	
Shop Drawings/Material Order Delivery Date: Within two (2) weeks	

Contractor Initial: 
 Subcontractor Initial: 

Liquidated Damages: \$0.00 per day as required by Article XXIII hereto.

All invoices, bills of lading, packing slips and correspondence must reference the Project and Work Order Number. All delivery charges are included in the Total Work Order Amount. All Goods shall be shipped F.O.B. Project.

Description of Goods and Services: All labor, material, tools and equipment necessary or required to provide Bailey - Labelle -- Information Technology --- Munger work in accordance with Contract Documents.

- 1) This Subcontractor shall submit to L.S. Brinker/ Motor City Electric , a Joint Venture (LSB/MCE JV) for review a copy of their project specific safety manual and shall abide by safe work practices at all times, as well as all federal, state and local safety practices and all OSHA, MIOSHA mandates and L.S. Brinker/Motor City Electric, a Joint Venture Safety Manual.
- 2) All shop drawings and submittals called for in the contract documents shall be submitted by this subcontractor within two (2) weeks of contract award or notice to proceed.
- 3) This Subcontractor shall provide "As Built" drawings in both hard copy as well as electronically. These shall be submitted as part of the close out documents along with operations manuals, training verification, testing, etc. This shall be completed and submitted prior to submission of final pay application.
- 4) Training for owner personnel shall be as stated in the contractor documents to include video recording and the providing of one (1) copy in each of the four (4) copies of the final Operation and Maintenance Manuals. These shall be completed prior to the final application for payment.
- 5) It is understood that this Subcontractor shall visit the site to review and verify that all work to be supplied by others (ie: raceway, cable tray, back boxes, etc.) have indeed been installed and are correctly located in accordance with the contract documents. Should discrepancies be discovered this contractor shall notify LSB/MCE JV in writing immediately. Failure to do so shall constitute acceptance of these systems and this contractor shall be held responsible for all costs associated with the repair or remedial work required to finalize a working system.
- 6) Contractor shall provide and arrange for verification of all attic stock as called for with LSB/MCE JV Project Manager. This shall be delivered and "checked-in" at a location determined by the owner and coordinated by the LSB/MCE JV Project Manager. All attic stock shall be forwarded via a signed transmittal and shall be completed prior to submission of final invoice.
- 7) This Subcontractor shall be responsible for any and all damage caused by his trade work or the work of his Subcontractors.
- 8) It shall be understood that this contractor has included all necessary labor, materials, supervision, hoisting etc. to affect a complete job. This shall include any equipment required for delivery, loading, unloading, placement, etc. of equipment and materials. Use of others equipment or materials shall be strictly prohibited and shall be fineable should a contractor be found to use others equipment or materials.
- 9) This Subcontractor shall install the grounding bar at the new IDF.
- 10) This Subcontractor shall install cabling in J-hooks at lay-in ceiling areas.
- 11) Contractor shall extend the existing AT&T cable to the MDF as needed

Alternates:

- 1) Should the owner chose to delete the Oberon enclosures at the ceiling mounted access point devices a change order will be written to deduct a total of \$ 1,975.00

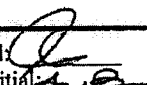
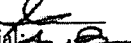
Total Work Order Amount: \$305,935.00

Check Here ☐ if Work Order is a Guaranteed Maximum Price. See Article XXIV

Check Here ☐ if Work Order is Design/Build. See Article XXV

Check Here ☐ if Work Order is governed by Pennsylvania law. See Article XXVI

Payment and Performance Bond is Included.

Contractor Initial: 
Subcontractor Initial: 

From: Petric, Jelena on behalf of COpsProcedures
Sent: Thursday, July 11, 2013 1:01 PM
To: Bracale, Robert
Cc: COpsProcedures; Macharia-Greer, Joyce
Subject: FW: SPIN Change Requests (Case 22-511128 Detroit Public Schools)-Guidance
Attachments: Work Order Munger - Information Technology.pdf; PIA Response 11 802276 Draft 08-16-11.doc

Robert:

The attached work order is between the original SPIN- L.S. Brinker Motor, SPIN 143028885-Construction Manager and its subcontractor Bailey-La Belle (requested SPIN 143035038) and work order number does not match the contract # listed on FRNs under review (contract # listed on Block 5 is 10-0224-2). This is not the contract between the applicant and the originally selected service provider. The applicant confirmed in its request to PIA that: *"Also, **when originally requested, these FRNs were to be handled through a single Construction Manager** and the CM Fee was included in the FRN amounts. Since that time, it was determined that the CM would not be used and that DPS would manage the installations internally".* Therefore, the applicant did not submit the acceptable source documentation to prove that the intended SPIN at the time of Form 471 filing was Bailey-La Belle SPIN 143035038. M&C error is not substantiated and SPIN change request does not qualify as a corrective SPIN change.

Since the specified reason is not acceptable for operational SPIN change either (no breach of contract or unable to perform), the request should be denied.

Thanks,

Jelena

From: Bracale, Robert
Sent: Thursday, July 11, 2013 9:22 AM
To: COpsProcedures
Cc: Macharia-Greer, Joyce
Subject: FW: SPIN Change Requests (Case 22-511128 Detroit Public Schools)

Scenario: The applicant classified the SPIN change request as "corrective" but the info implies this is "operational"; per Client Ops Procedures recommendation, I reached out for clarification, specifically who is the original SPIN at the time of the 471 review. I mentioned in my outreach the documentation may include a vendor quote or copy of the contract that the applicant signed with the selected service provider.

Please refer to the attached documentation I received from the applicant (pertains only to one **FRN #2175670**). You will notice the "Contractor" (Brinker) is the original service provider, and the "Subcontractor" (Bailey) is the new service provider listed on the SPIN change request. However, this document was signed only by these two parties, not with the applicant. The work order is dated 2/19/2011 (delivery date was two weeks) which is prior to the effective date of the discount (7/1/2011).

SPIN: 143028885 Svc Prvdr: L.S. Brinker Motor City Electric A Joint Venture
Svc Ordered: INTERNAL CONNECTIONS



FRN 2175600

PBX Munger

A JOINT VENTURE

SUBCONTRACTOR WORK ORDER

Subcontractor: Learning Consultants, Inc. 17601 James Couzens Detroit, MI. 48235 Phone: (313) 861-5882 Fax: (313) 861-4406 Contact: Mike Pacioni Email: mpacioni@sbcglobal.net	Work Order Date: 2/27/2011 Work Order Number: 039 Master Subcontractor Agreement: 1 Project Name: District-Wide Information Technology & Security Systems Design: Installation of IT/Security/Low Voltage Munger PK - 8 Contractor's Job Number: 01-059
Contractor: LS Brinker/Motor City Electric, a Joint Venture 3633 Michigan Avenue Detroit, MI Phone: (313) 897-9130 Fax: (313) 897-9133 Project Manager: Rich McLaren Email: rmclaren@brinkergroup.com	Owner: Detroit Public Schools 7307 Second Ave. 10th Floor, Detroit, MI 48202

Reference: Drawings and Specifications
Listed below and prepared by Albert Kahn

- 1) L.S. Brinker Company/ Motor City Electric Joint Venture (LSB/MCE JV) Invitation to Bid, dated December 17, 2010
- 2) Request for Proposal, dated December 17, 2010
- 3) Project Drawings labeled Issue 005, including but not limited to Telecommunications, Audio Visual, Security as issued by Albert Kahn Family of Companies, dated December 17, 2010 (See Drawing Log)
- 4) Project Revision Drawings labeled Issue 006, as issued by Albert Kahn Family of Companies, dated January 3, 2011
- 5) Project Revision Drawings labeled Issue 007, as issued by Albert Kahn Family of Companies, dated January 14, 2011
- 6) Bid Information letter #1, dated January 7, 2011
- 7) Bid Information letter #2, dated January 14, 2011.
- 8) Post Bid Review held on February 3, 2011
- 9) LSB/MCE JV Project Manual, dated December 17, 2010
- 10) All written Technical Specifications, as issued by Albert Kahn Family of Companies with the Bid Documents dated December 17, 2010 and subsequent revision documents, Issue 006 as issued by Albert Kahn Family of Companies, dated January 3, 2011, Issue 007 as issued by Albert Kahn Family of Companies dated January 14, 2011.



A JOINT VENTURE

FRN 2175583

PBX Gompers

SUBCONTRACTOR WORK ORDER

Subcontractor: Learning Consultants, Inc. 17601 James Couzens Detroit, MI. 48235 Phone: (313) 861-5882 Fax: (313) 861-4406 Contact: Mike Pacioni Email: mpacioni@sbcglobal.net	Work Order Date: 2/19/2011 Work Order Number: 038 Master Subcontractor Agreement: 1 Project Name: District-Wide Information Technology & Security Systems Design: Installation of IT/Security/Low Voltage Gompers PK - 8 Contractor's Job Number: 01-059
Contractor:: LS Brinker/Motor City Electric, a Joint Venture 3633 Michigan Avenue Detroit, MI Phone: (313) 897-9130 Fax: (313) 897-9133 Project Manager: Rich McLaren Email: rmclaren@brinkergroup.com	Owner: Detroit Public Schools 7307 Second Ave. 10th Floor, Detroit, MI 48202
Reference: Drawings and Specifications Listed below and prepared by Albert Kahn	
<div style="border: 1px solid black; padding: 10px;"><ol style="list-style-type: none">1) L.S. Brinker Company/ Motor City Electric Joint Venture (LSB/MCE JV) Invitation to Bid, dated December 17, 20102) Request for Proposal, dated December 17, 20103) Project Drawings labeled Issue 005 including but not limited to Telecommunications, AudioVisual, Security as issued by Albert Kahn Family of Companies, dated December 17, 2010 (See Drawing Log)4) Project Revision Drawings labeled Issue 006, as issued by Albert Kahn Family of Companies, dated January 3, 20115) Project Revision Drawings labeled Issue 007, as issued by Albert Kahn Family of Companies, dated January 14, 20116) Bid Information letter #1, dated January 7, 20117) Bid Information letter #2, dated January 14, 2011.8) Post Bid review held on February 3, 20119) LSB/MCE JV project manual dated December 17, 201010) All written Technical Specifications as issued by Albert Kahn Family of Companies with the bid documents dated December 17, 2010 and subsequent revision documents, Issue 006 as issued by Albert Kahn Family of Companies, dated January 3, 2011, Issue 007 as issued by Albert Kahn Family of Companies dated January 14, 2011.</div>	

INSTALLATION AND SERVICES AGREEMENT

THIS INSTALLATION AND SERVICES AGREEMENT ("Agreement") made as of the 23rd day of February, in the year of 2012 by and between the DETROIT PUBLIC SCHOOLS, having offices at The Fisher Building, 3011 West Grand Blvd., Detroit, Michigan 48202 ("Owner") and LEARNING CONSULTANTS, INC. having offices at 17601 JAMES COUZENS, DETROIT, MI 48235 ("Contractor").

RECITALS:

A. Owner desires to retain Contractor for purposes of securing from Contractor certain security, audio-visual, communications and/or information technology installation and Services and Work, as generally described in Exhibit A, "Scope of Work", attached hereto and incorporated herein (the "Project").

B. Contractor shall perform the services required in accordance with and as described in this Agreement (together, as the same may be amended, modified and/or supplemented in accordance with the provisions of this Agreement).

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

ARTICLE 1.1

INITIAL INFORMATION

1.1.1 This Agreement is based on the following information and assumptions.

1.1.2 **PROJECT PARAMETERS.** *Section Reserved.*

1.1.3 PROJECT TEAM

1.1.3.1 The Owner, within its sole discretion, may designate a Program Manager and/or Owner's Representative to act on the Owner's behalf with respect to the Project. All project communications between Owner and Contractor shall be conducted through Owner's Program Manager and/or Owner's Representative. Whenever the term Owner is used in these documents it shall be interpreted to mean Owner or Owner's Program Manager or Representative. No persons or entities other than Owner's Program Manager and/or Owner's Architect are required to review the Contractor's submittals to the Owner.

1.1.3.2 The Owner's Program Manager and/or Representative, other consultants and contractors are set forth on Exhibit B, "Designation of Project Personnel", attached hereto and incorporated herein. The Owner has designated the Program Manager, as the sole and exclusive agent of Owner, to provide administration of this Agreement and, through an architect or professional engineer licensed by the State of Michigan, to (a) in addition to and not in lieu of the Owner's right of review and approval, and (b) supervise the Project, all of which shall be solely on the Owner's behalf and not for the benefit of the Contractor or any other person other



FRM 2175567
PBX Clark Park

SUBCONTRACTOR WORK ORDER

Subcontractor:

Learning Consultants, Inc.
17601 James Couzens
Detroit, MI. 48235
Phone: (313) 861-5882
Fax: (313) 861-4406

Contact: Mike Pacioni
Email: mpacioni@sbcglobal.net

Work Order Date: 2/27/2011

Work Order Number: 037
Master Subcontractor Agreement: 1
Project Name: District-Wide Information
Technology & Security Systems Design:
Installation of IT/Security/Low Voltage
Clark Park PK - 8

Contractor's Job Number: 01-059

Contractor:

LS Brinker/Motor City Electric, a Joint Venture
3633 Michigan Avenue
Detroit, MI
Phone: (313) 897-9130
Fax: (313) 897-9133
Project Manager: Rich McLaren
Email: rmclaren@brinkergroup.com

Owner:

Detroit Public Schools
7307 Second Ave. 10th Floor,
Detroit, MI 48202

Reference: Drawings and Specifications
Listed below and prepared by Albert Kahn

- 1) L.S. Brinker Company/ Motor City Electric Joint Venture (LSB/MCE JV) Invitation to Bid, dated December 17, 2010
- 2) Request for Proposal, dated December 17, 2010
- 3) Project Drawings labeled Issue 005, including but not limited to Telecommunications, AudioVisual, Security as issued by Albert Kahn Family of Companies, dated December 17, 2010 (See Drawing Log)
- 4) Project Revision Drawings labeled Issue 006, as issued by Albert Kahn Family of Companies, dated January 3, 2011
- 5) Project Revision Drawings labeled Issue 007, as issued by Albert Kahn Family of Companies, dated January 14, 2011
- 6) Bid Information letter #1, dated January 7, 2011
- 7) Bid Information letter #2, dated January 14, 2011.
- 9) Post Bid Review held on February 3, 2011
- 8 LSB/MCE JV Project Manual, dated December 17, 2010
- 9) All written Technical Specifications as issued by Albert Kahn Family of Companies with the bid documents dated December 17, 2010 and subsequent revision documents, Issue 006, as issued by Albert Kahn Family of Companies, dated January 3, 2011, Issue 007 as issued by Albert Kahn Family of Companies, dated January 14, 2011.